

# Exhibit R

## KING & SPALDING

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March 9, 2023

### VIA EMAIL AND FILE&SERVE XPRESS

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55 Harrison Street, Suite 400  
Oakland, CA 94607

**Re: *Anthony Hernandez Valadez v. Johnson & Johnson, et al.***  
Alameda County Superior Court Case No. 22CVO12759  
Our Clients: Johnson & Johnson (“J&J”) and LTL Management LLC (“LTL”)

Dear Counsel:

In the *Valadez* case, MAS analyzed an unopened bottle of Johnson’s Baby Powder allegedly purchased in September 2022 (MAS Sample No. M71614-001). The bottle was analyzed by MAS using PLM and ATEM on February 27th and 28th, respectively. Dr. Longo reports that chrysotile asbestos was found in this sample by PLM.

During his March 3, 2023 deposition in *Valadez*, Dr. Longo confirmed he still has the PLM slides that were generated as part of analyzing MS Sample No. M71614-001. (*See*, 3/3/23 Longo Dep. at 57:10-12.) Defendants requested on the record at the deposition that Dr. Longo preserve those slides. (*See id.* at 57:13-16.) During his deposition, Dr. Longo claimed on multiple occasions that, in order to be able to meaningfully interpret and evaluate his PLM findings, it is critical to review the slides under the microscope. (*See e.g., id.* at 61:5-62:3 [“I’d have to be under the microscope to look at it . . .”]; 67:2-17 [“I told you my opinion about it and what was around the edge, and I’m not looking in a microscope, I can’t answer it anymore and help you out here”]; 79:1-9 [“No. In order for me to do that, I would have to be sitting at the microscope, in focus, out of focus, and look at that.”].) Defendants hereby request that MAS provide a representative from the RJ Lee Group (RJLG) with the PLM slides related to MAS Sample No. M71614-001. We are happy to meet and confer about the appropriate process for transmitting the PLM slides to Defendants. We believe these slides can be provided to a representative from RJLG at the same time as the sample division related to M71614-001. We will provide a proposed protocol for the sample division and transmittal of the PLM slides shortly.

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Additionally, during the *Valadez* deposition, Dr. Longo was also asked whether he had standard reference images for SG210 Calidria chrysotile or any other type of Calidria chrysotile in 1.550 or 1.560 dispersion oil that do not also contain talc. (*See*, 3/3/23 Longo Dep. at 8:21-9:2.) In response, Dr. Longo said “I don’t think so.” Defendants have become aware that during a February 25, 2023 deposition in a different talcum powder case (*Janel Davis v. Albertson’s LLC, et al.*, Alameda County Case No. RG21112811), Dr. Longo testified that he did have a reference sample of SG210 Calidria without talc in 1.560 dispersion oil. (*See* 2/22/23 Longo Dep. in *Davis* at 50:9-51:5 [“[A]nd then separately, SG210 on its own suspended in 1.560 oil, is that right? A. That is right.”]. As a result, Defendants request that Dr. Longo preserve this reference sample and promptly produce all images and documentation related to this sample. Please advise when we can expect to receive these materials.

Thank you.

Regards,

A handwritten signature in black ink, appearing to read 'Julia E. Romano', with a stylized loop and a horizontal stroke.

Julia E. Romano

JER:bsp

cc: ALL COUNSEL OF RECORD